

Docket 85918KNM  
Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of

Christopher J. Kralles, et al

BACKPRINTING ASSEMBLY FOR  
A PHOTOGRAPHIC PRINTER

Serial No. 10/728,628

Filed December 05, 2003

Group Art Unit: 2853

Examiner: Ly T. Tran

Mail Stop APPEAL BRIEF-PATENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**REPLY TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

In response to the Notification of October 10, 2007, Applicant's provide herewith replacement page 1 of Applicants' Appeal Brief September 25, 2007. Entry of the replacement page, which has been amended to recite more clearly the status of the claims on Appeal, is respectfully requested.

Only the replacement page is being filed pursuant to a telephone message from Ms. Bridget Monroe received October 17, 2007, wherein Ms. Monroe stated filing a replacement page would be sufficient to correct the error.

Respectfully submitted,



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Enclosures

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

### **APPELLANT'S BRIEF ON APPEAL**

Appellants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's Final Rejection of claims 1-24, which was contained in the Office Action mailed May 16, 2007. Applicants timely filed a Pre-Appeal Brief with a Notice of Appeal June 28, 2007, a response to which was sent by the Patent Office on July 24, 2007, indicating the case should proceed to the Board of Patent Appeals and Interferences. A Petition for a one-month Extension of Time is filed herewith, extending the period for filing of the Appeal Brief to September 28, 2007.

### **Real Party In Interest**

Eastman Kodak Company is the real party in interest.

### **Related Appeals And Interferences**

No appeals or interferences are known which will directly affect or be directly affected by or have bearing on the Board's decision in the pending appeal.

### **Status Of The Claims**

Claims 1-24 are pending as originally filed, and are subject to appeal. Appendix I provides a clean, double spaced copy of the claims on appeal.

### **Status Of Amendments**

The claims stand as originally filed, having never been amended. The Specification was amended by the filing of May 23, 2006. No amendments to the specification, claims, or drawings have been made since the Final Rejection.